12 PAGES-LAST EDITION

MONDAY OCTOBER 29 1906 SALT LAKE CITY UTAH

FORTY-TWO DEAD IDENTIFIED

Fifty-one Bodies Recovered From Care That Plunged Into Water Near Atlantic City.

MANY ARE UNACCOUNTED FOR.

Gen. Manager Atterbury of the Pennsylvania Declines to Make Any Statement.

List of Victims Continues to Grow-Already More Than Half a Hundred Have Been Recovered.

Atlantic City, N. J., Oct. 29 .- As the details of yesterday's terrible wreck on the electric line of the West Jersey & Seashore Railroad developed during the night, the disaster became more appalling. The total number of persons whose lives were snuffed out almost instantly is probably 66, with nearly a score injured, several of whom, it is

thought, will die. At 11 o'clock today 51 bodies had been ecovered from the two cars loaded with men, women and children, which recovered from the and children, which with men, women and children, which with men, women and children, and one dashed into the thoroughfare, and one of the cars had been brought to the shore. Of the dead 42 have been idensified. How many, if any, remain in the second car, is not known, but with the second car, who were brought the second car will be completely that the second car will be completely surveyed before noon. The fact that some bodies were recovered outside of the cars leads to the belief that possibly not all of those drowned may ever be recovered.

reenty-five of this number have been accounted for, which, with the bodies accovered, bring the total to 76. This recovered, bring the total to 10. This leave 15 persons not accounted for, and who are supposed to have been drowned. It is the belief of the divers that some of the bodies floated through the bright windows out into the Thoroughfare and were carried by the swift cur-rent out into the Atlantic.

At police headquarters it was stated At police headquarters it was stated this morning that the effects found on bodies were not sufficient to permit of Mentification of more than six, and that Mentification will have to be made by

all of the bodies are being embalmed. hearly morning trains brought many resus from Philadelphia and other sale who were anxious to learn if a swone had been swept to death by

IDENTIFIED DEAD. The list of dead thus far identified

Mrs. Fred K. Benckert, Philadelphia. Clarence Benckert, 12, and Harry W. L. Walker, Philadelphia. David Fried, New York. J. P. Dempsey, Camden, N. J.

Mrs. Ida Dempsey, Lamberton, N. J. Mrs. Cora Biddle Brown, Eastport, Mrs. Selina Womfer, Camden, N. J. Jas. Eagan, Atlantic City, N. J. Laura Lawrence, Philadelphia. Mrs. Bradish, Atlantic City, N. J. Mrs. Bradish, Atlantic City, N. J. Samuel Infel, Germantown, Pa. Walter Scott, Atlantic City, N. J. Frank Monroe, Camden, N. J. Vicente Donnelle, Member Toscas Royal Artillery band, Philadelphia. Pasquale Mozelle, Toscas band, Philadelphia.

P. Anguerofo, Toscas band, Philadel-Dr. A. L. Hudders, Roxborough, Phil-

Mrs. Catherine Hudders, his wife.
Dr. Paul Felsberg, 38, Philadelphia.
Mrs. Frances Felsberg, his wife.
Eldle Niess, 5 years old, Philadelphia.
Mrs. Evalene McElroy, Philadelphia.
Olivia McElroy, Philadelphia.
Mrs. W. L. Carter, Philadelphia. W. L. Carter, Philadelphia, Zimmerman, Philadelphia, Ella Rittenhofer, Philadelphia. Ella Rittenhofer, daughter. Miss Martha Hice, Philadelphia, wm. Edwards, Woodbury, N. Y.
Mrs. W. H. Stewardt, Wenona, N. J.
Mrs. W. H. Stewardt, Wenona, N. J.
Mrs. S. Klyne, 7 years old, Wenona.
Bert Kessel, Camden, N. J.
Bert Getiman, Philadelphia.
B. H. Finckelstein, Reading, Pa.
Frank Herward, Jos Herward, brothers, Philadelphia.

es, Philadelphia. Constantine Veorado, Philadelphia. leenzo Doniale, Atlantic City. Turner, colored, Atlantic City H. N. Burch, of Philadelphia, was with Andrew Taylor, also of Philadel-phia, the two sitting side by side. Tay-ier was saved and Burch was drowned. F. Shelar, Harris colored F. Sinclair Harris, colored, Philadel-

Clifford Harris, his brother. John Kober, Philadelphia. Thomas Culvence, Philadelphia. MISSING.

Jos. McElroy, 3 years old.
Miss Gertrude Hayes, colored, Cam-len, N. J. INJURED.

Wm. H. Stewart, Wenona, N. J., in-Frank Deceri, Philadephia, internal, Jao. Fortunato, Philadelphia, inter-Jos. Devito, manager Royal Artillery band, Philadelphia, internal, severe

Angelo Franzein, Philadelphia, seri-Andrew Taylor, Camden, fatally, Ida Taylor, Florence, N. J., internally, Edward Morgan, Scranton, concustion of brain.

Al Reese, Scranton, severe, 0. R. Natello, Philadelphia, concus-

H. B. Joseph, Camden, N. J., con-Jno. Dougherty, Philadelphia, cut

Geo, McGee, Philadelphia, wounded about body.

SCENE OF WRECK.

SCENE OF WRECK.

The wreck occurred at the drawbridge which spans the Thoroughfare, a small waterway about one mile outlegs of the city, just on the eastern edge of the city, just on the eastern edge of the meadows, and was directly due to the draw failing to work. The schooner Sinbad, which was recently wrecked off Winter Quarter schoals light, a short distance from passed through the drawbridge. As the schooner was entering the draw, started across the meadow from the draw had swung into place, the three fare of Pleusantville. Before the draw had swung into place, the three fare of speed, dashed on the trestle, falls and dashed into the guard rall, bother two cars following. At the point where the cars jumped the lack the top of the trestle is nearly a feet high. The first two cars well atterpart of the week."

est improved type, We have nothing to conceal. We don't know what caused the wreck, and I do not think we can know until we have seen the trucks of the derailed cars."

When asked the direct question as to his idea of the cause of the wreck, Mr. Atterbury said:

"Perhaps a broken flange or some part of the car's gear gave way."

Mayor Stoy made the following statement today:

"At the present time I am not prepared to say anything concerning the cause of the disaster. An investigation will be made, and wherever the blame belongs it will be fixed and the public may depend upon that. Coroner Gaskill and I are one in this purpose, and no man shall get away from us who may have had anything to do with the calamity or who may have any light to shed upon it. Coroner Gaskill will today impanel a jury, but neither of us blieve that it will be possible to hold an inquest until the latter part of the week."

instantly submerged, but the third car of the train caught on an abutment and remained suspended. It was this car from which nearly all of the in-

car from which hearly all of the injured escaped.

The news of the disaster was quickly telegraphed to this city, and in less fian an hour the work of rescue had begun. At the time of the accident, the tide which rises about 10 feet, was running in and the work of the divers was slow. It was not until several running in and the work of the divers was slow. It was not until several hours later that the divers wer able to make any progress. Then the awful evidences of the disaster became more apparent. When the two cars struck the bottom of the waterway they stood almost on end and the first man to descend reported that the victims were packed in the lower ends of the submerged cars so tightly that it

man to descend reported that the victims were packed in the lower ends of the submerged cars so tightly that it was difficult to move them.

One by one the bodies were carried to a waiting train and laid side by side, later to be brought to this city and placed in the Empire theater, which was used as a temporary morgue. Then friensd on the ill-fated cars crowded about the door and with difficulty were restrained from forcing their way into the building. One of the most heart-rending incidents was furnished by Fred'k. Benckert, who lost his entire family, wife and two children. Benckert was not informed of the accident until too late to catch a train, and he hurried here in an automobile. When he saw the bodies of his wife and two little boys lying side by side on the floor, Benckert coliapsed and had to be carried from the building.

Walter Scott, the motofman, was

building.

Walter Scott, the motorman, was killed because of his anxiety to spend part of the day with his wife here. It was Scott's custom to run only as far as Millville, but today he swapped his with another motorman and his

death was the result.

Dr. Hudders and his wife were on their way to this city to nurchase a cottage and intended visiting Mrs. Gorman, the doctor's sister-in-law, who resides in this city. The latter was at the station waiting for the arwas at the station waiting for the arrival of the doctor and his wife, and when she learned of the accident the woman collapsed. The bodies of the doctor and his wife were among the last brought in from the wreck.

REMOVING THE DEAD. Prosecutor Albertson, Coroner Gas-kill and Chief of Police Maxwell superintended the removal of the bodies from the scene of the disaster. The valuables taken from the dead were valuaties taken from the dead placed in packages, which were numbered and a number corresponding was placed on the body.

The divers were so exhausted by their continued efforts that they were

compelled to suspend operations a short tim before daybreak. Their work was particularly arduous because work was particularly arduous because the wrecking crews were unable to raise the cars. The huge derrick which was run out upon the long trestle with the added weight of the wrecked cars suspended from the crane, was more than the bridge would sustain end it was feared the stress would cause it to collabor.

would cause it to collapse.

An attempt was made to cut the first and second cars asunder and left a singe car out of the water, but the cables broke at the first attempt and on the second the already twisted

The attempts to lift the cars were then abandoned and all efforts were directed toward getting the bodies of the victims out of the wreckage. General Manager Atterbury of the Pennsylvania railroad, which owns the line on which the accident occurred, is here, but thus far has declined to make any statement with reference

to the wreck,

A special train from Philadelphia reached the scene of the wreck this morning, carrying among others three divers, who came down to relieve the men who had been working through the night to recover the bodies of those who had perished in the disaster.

FIFTY-THREE KNOWN DEAD. Atlantic City, N. J., Oct. 29.—Fifty-three persons are positively known to have lost their lives in the waters of have lost their lives in the waters of the Thoroughfare yesterday when an electric train jumped the rails on the drawbridge over the waterway. Of this number 47 have been identified, two are missing and four remain in the morgue unidentified. The two missing are known to have perished. They are young McElroy and Burch.

IN THE MORGUE. The efforts of the new men resulted in the bringing to the surface of three more bodies within a few hours. All told, 37 dead lay in the improvised morgue, and at 10 o'clock wretched and suffering persons seeking lost ones were permitted to enter the chamber of death. Most heart-rending were scenes, and the men who had worked with strong arms and hearts to bring the bodies from beneath the waters were moved to tears. Among the most pa-thetic cases was that of Samuel Mc-Elroy of Philadelphia, who found his family wiped out by the disaster, his wife and 5-year-old daughter lying dead in the morgue and his 3-year-old boy missing. When the officials making rec-ords of the identification asked for his

address, the broken-hearted man re-"It was 2092 Green street, but I shall never return there—God only knows where I shall go."

Almost as pathetic was the identifica-tion of Dr. Felsberg of Philadelphia by

his niece.

From midnight until dawn the brother pleaded for admittance to the morgue, already satisfied from descriptions furnished by the officials that the physician and his wife were among the physician and his wife were among the dead. When the party were admitted they were prepared for the sight that met their gaze. One among the rows of bedies lying covered with a sheet contained the corpse of Eddie Niess, 5 years old, who was drowned in the second coach. years old, who was drowned in the sec-ond coach. He came to Atlantic City with his father, who lies injured at the home of his brother in the city. The fath-er, ill and distracted, could not go to

the morgue, but his sister-in-law identified the body.

A few minutes after 10 o'clock the working crew brought from the water the first car of the train and carried it to the land. The car contained no bodies, but three bodies were brought up with the lifting of the car from its bed of mud, which seems to bear out the theory that there may have been some bedies fourther contained. theory that there may have been some bodies floating out through the win-

WHAT ATTERBURY SAYS.

General Manager Atterbury said this General Manager Atterbury said this afternoon:

"I do not believe that Stewart, the bridge-tender, said anything like what has been attributed to him regarding the jacking up or alignment of the rails. It is not a fact that when the draw is swung the rails have to be re-set. The drawbridge is of the latest improved type. We have nothing to conceal. We don't know what caused the wreck, and I do not think we can know until we have seen the trucks of the derailed cars."

When asked the direct question as to his idea of the cause of the wreck, Mr. Atterbury said:

"Perhaps a broken flange or some part of the car's gear gave way."

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LANGDON DISTRICT THE LIGHT AND ATTY. DE FACTO

Superior Judge T. F. Graham | The Date for Transferring Stock Hands Down a Decision to That Effect.

POLICE CLEARED COURTROOM.

San Francisco Board of Supervisors Calls Meeting to Resist Attacks on Union Administration.

San Francisco, Oct. 29.-Unattended by excitement or disorder such as marked the procedings of last Friday afternoon, the session of court held this morning was nevertheless of equal importance. Superior Judge T. F. Graham was on the bench scarcely five minutes, yet the time sufficed for his recognition of W. H. Langdon as district attorney de facto and his announcement of a decision which will authorize Asst. Prosecutor Francis J. Heney to proceed with the examination of the members of the grand jury for the purpose of determining their qualifications to serve. S. M. Shortridge, as attorney for Abraham Ruef, was refused permission to address the court, supposedly in objection to the ruling. Mr. Shortridge was advised that he might submit his argument at 2 o'clock this afternoon, when Dist .-Atty. Langdon and Asst. Atty. Heney begin the examination of the

grand jury.
The brief character of the proceedings surprised and bewildered many of those in the court room who had expected a long argument before the de-cision was renderd. The fact that Dist.-Atty, Langdon had been recog-nized by Judge Graham was not gen-gerally known autil the rolles begge to erally known until the police began to clear the courtroom.

To an Associated Press representa-

tive, after the sitting, Asst. Dist .- Atty. "It must still be determined whether

or not we have the right to examine members of the grand jury for bias or prejudice. But Judge Graham did or prejudice. But Juright, perfectly right.

TO DEFEND ADMINISTRATION. At a meeting of the board of supervisors held last night to which the public was not admitted, it was decided to form an organization, the avowed purpose of which shall be "to avowed purpose of which shall be "to champion the cause of justice and fair play, refute the slanders of corporations and millionaires," and resist attacks on the union labor administration," With this object in view the employes of the city government, numbering about 4,000, have been called to assemble in mass meeting on Wednesday afternoon. Each employe will be asked to take five friends to the meeting and hand in their names for membership, making the total strength of bership, making the total strength of the organization about 24,000 men.

BERGER-KAUFMANN FIGHT.

First Heavyweight Affair to be Pulled Off in San Francisco in Two Years.

San Francisco, Oct. 29 .- The first heavyweight pugilistic battle to be decided in this city for nearly two years will take place next Wednesday night when Sam Berger and Al Kaufman meet in the ring at the new pavilion skating rink. The advance sales of seats began today, and judg-ing from the number of tickets sold the attendance will tax the immense building to its capacity. Con able betting is being indulged in. able betting is being indulged in, with Berger ruling favorite at odds of 10

Jack Weish will referee the contest. Billy Delaney, trainer and manager of Kaufman announced today that in the event of his man winnig, he stood ready to match him agaist Jeffries should the latter elect to return to the ring. Berger also will issue a chal-lenge to the big boilermaker should he be returned a winner in the coming

Jimmy Coffroth, who is handling the event, is making preparations to handle the anticipated enormous crowd. He states that the main event will be brought off at 9 o'clock sharp,

PADEREWSKI WILL NOT COME.

New York, Oct. 29.-Pederewski, the Polish pianist, will not come to America this winter. This was settled defi-nitely yesterday by cable and the reais still working.

RAILWAY DEAL

And Reorganizing Goes Over Another Day.

General Manager is to be an Experienced and Up-to-Date Eastern Railroad Man.

Some Money is Said to Have Passed Through Local Banks in the Transaction Today.

The date for transferring the stock of the Utah Light & Railway company and electing a president of the reorganized corporation was again deferred today. The directors of the old company met at 10 o'clock this morning and adjourned until the same hour tomorrow when it is said there is little doubt that the transfer will be made and the reorganization completed.

It may be confidently stated that the delay is not occasioned by any serious trouble. A merely technical point on one phase of the transaction has been raised, and it is certain that that will be settled within a very short time, perhaps during the day. Mr. Harriman, who has been out of New York for the past three days, was expected to be back at his office again today, in which event there is little doubt that tomorrow will witness a windup of the whole

It is understood that money passed between the purchaser and some of the sellers today, Mr. Bancroft, vice presi-dent and general manager of the Short Line is to be president and an experi-enced eastern railroad man will be made general manager of the system, upon which a vast amount of money is to be spent in the way of reconstruction and betterment.

JAPAN AND AMERICA.

The Novoe Vremya Says Two Nations Have Begun to Quarrel.

St. Petersburg, Oct. 29,-The Novoe Vremya in a leading article today on Japanese-American relations declares that "Yesterday's friends have begun to quarrel," and asserts that "An anti-Japanese agitation has been started in the United States in response to the anti-Americanism in Japan, causing a friction which may easily be fanned into war."

WILL PAY UP.

Some of German Ins. Co's on San

Berlin, Oct. 29.—Some of the German fire insurance companies, which have not paid the losses which they sustained as a result of the San Francisco earth-quake, have now determined to do so. The Berlin Fire Insurance company, at a general meeting of the shareholders, has decided to increase its capital by \$825,000 and pay its losses. The Prussian National Fire Insurance company has voted \$625,000 to pay its San Francisco losses.

F. H. GARSIDE ARRESTED.

He Was the Treasurer of the Defunct Aetna Bank of Helena.

Butte, Mont., Oct. 29 .- F. H. Garside, treasurer of the defunct Aetna bank of Butte, is under arrest in Minneapolis. Sheriff Quinn of Butte will leave requisition papers tonight. Garside was arrested yesterday on a clew furnished by a cipher telegram sent to Mrs. Fos-ter, his stenographer, who also has left town. The telegram fell into the hands

KAISER HAS A COLD.

Berlin, Oct. 29.-Emperor William is Bernn, oct. 29.—Emperor which is sufficiently severe to require him to give up his projected visit today to Liebenburg. The court circular, in announcing the change in his majesty's plans, says his

change in his cold is light.

It was noticed Saturday that when the emperor spoke at Prof. Burgess' lecture and proposed cheers for President Roosevelt he was extremely dent Roosevelt he angagements on Satnitely yesterday by cable and the reason given for the postponement of the American visit is the incompleteness of his simphony on which Paderewski

CHRISTMAS NEWS

SATURDAY, DECEMBER 15, 1906.

UTAH AND HER NEIGHBORS: Their Growth and

Development During 1906, and Their Prospects for 1907.

CHRISTMAS NEWS PRIZES.

In conformity with its custom in the past, which has proved so popular with the public, the Deseret News announces the following prizes for its Christmas issue.

exceed 8,500 words, about seven columns, or one page, of the Descret News.

Second—A Prize of \$25.00 cash for the best Christmas poem not to exceed 1 200

Manuscrints not accounted will be material on receipt of postage

must be forwarded containing the real name of the author.

First-A Prize of \$50.00 cash for the best Christmas Story submifted, not to

The competition will close on Nov. 20th, 1906. All stories and poems submifted must be addressed the Deseret News, Christmas Department, Salt Lake City, Utah. They must be signed with a nom de plume, or a fictitious name, and a separate envelope

The number will be issued in colors and enclosed in illuminated covers.

The theme of the issue will be

AUTO RIDES COME HIGH IN NEVADA

Utah Mining Men Pay One Thousand Dollars to Go to Greenwater.

BANCROFT TO BE PRESIDENT. DISTANCE OF FIFTY MILES.

Much Excitement Over New Inyo County, California Copper

Special Correspondence, Rhyolite, Nev., Oct. 27,-Think of paying \$1,000 for the use of an automobile for a trip of not to exceed four day's duration. It would not take long to pay for a machine at that rate; but the sum stated is what it cost a party of Utahns to go from

nia a few days ago. The distance from Rhyolite is only about 54 miles; the roads are in fairly good shape and the trip one way can be made in not to exceed four days. Nevertheless that is what it costs and mining men figure that they are get-ting off easy if they can hire an auto-

comp over in Inyo county, Califor-

mobile and chauffeur on the basis of \$250 per day.

The party referred to consisted of Lafayette Holbrook and Sam A. King of Provo, David Evans, formerly a well known mining operator and at-torney of Salt Lake, and a Mr. Tip-ton, the young Bullfrog mining man who recently sold the Polaris mine adjoining the famous Montgomery Shoshone, his interest bringing \$350,-

Mr. Holbrook and associates had secured a short time option on a cop-per property at Greenwater and if it had cost twice as much as it did for the auto they would have gone in any-way. It was a case of necessity Others were after the ground and willing to pay higher price for it, so it was in the nature of a race to see

who would get there first, Outside of the excitement in west-

Outside of the excitement in western and southern Nevada attending the opening of the Walker Lake Indian reservation. Greenwater has the call and, as was the case in Ely and Yerington. Utah mining men have not been slow in getting in early and securing some of the best ground.

A brother of Sam King has arrived from Spokane and has formed a partnership with the latter to engage in the practise of law at Rhyolite. The new firm in opening up an office in a building centrally located. Curtis P. Mason, formerly manager of Fairbanks, Morse & Co,'s Salt Lake house, but now representing a Los house, but now representing a Los Angeles firm, is in camp and during the week placed orders for 10 gasoline hoisting plants.

KILLED WHILE LOGGING.

Santa Rosa, Cal., Oct. 29.-James An tone, Jr., was so severely injured Sat-urday while working on a logging train at Jenner, in western Sonoma county, that he died shortly afterwards. Aniouc's

SEPARATE SCHOOLS FOR JAPANESE CHILDREN.

San Francisco, Oct. 28 .- "When Secy. Victor Metcalf arrives to inquire into the action taken by the board of education of the city and county of San Francisco, in providing a separate school for Japanese children, we will meet him more than half way," was the statement of President Aaron Alt-

"The position taken by the board was for the best interests of the public schools of San Francisco and in strict conformity with the state law. W schools could be subserved by sending children of Japanese parentage to a separate school. If we have erred, and can be shown whereby we have done so, the board will be more than pleased to correct its mistake—if any has been

Without receding from our position, the board claims that the fault-if any exists-is with the legislative body of exists—is with the legislative body of the state. In plain and unmistakable language that particular section of the statute under which the board acted states that all children of oriental parentage shall be placed in a separate school. The board would like to have the constitutionality of this statute tested in the courts."

City School Sunt, Alfred Roncoveri

City School Supt. Alfred Roncovieri said the coming of Secy. Metcalf to San Francisco was unnecessary, as the exclusion of Japanese from the public

schools provided for white children is

schools provided for white children is required by law.

"Many of the so-called Japanese school children," said President Roncovieri, "are men of from 20 to 23 years of age. They have no right to attend the schools established for our little boys and girls, and we would not allow white men of the same age to go to these schools. These rupils are large. to these schools. These pupils are largely of the Japanese servant class, working for their board and lodging. They are to be commended for so working, but they are not entitled to go to school like little boys and girls. "We do not deny the Japanese edu-cational rights, but there are separate

schools for them, and these they mus "Before the fire there were between

400 and 500 Japanese students in the public schools. A new count is now being made.

"Of course, if the United States de-clares our state law in conflict with a treaty, that's another matter. But at present we are guided solely by Cali-fornia law."

UTAH RUINS.

Commissioner Richards Recommends That Prehistoric Ones be Preserved.

Washington, Oct. 28 .- The annual report of the commissioner of the general land office, which was made public today, shows that the total receipts for the year ended June 30 were \$7,585,524, an increase over the preceding year of \$567.712. total area of the land disposed of was 19,431,187 acres, an increase of 2,374,565 here to Greenwater, the new copper acres. All of the recommendations made by Commissioner Richards in his report of a year ago are renewed except in in stances where Congress already has taken the action requested. Under a bill passed by the last session of Congress the land office has under consideration the establishment of various parks to protect the prehistoric ruins of Artozna, New Mexico, Colorado and Utah, which recently were made the subject of a report by Prof. Edgar L. Hewitt,

ACCIDENTS IN LOS ANGELES.

Seventy-five Fatal Ones in Twelve Months.

Los Angeles, Cal., Oct. 29 .- Reports now on file with the recently appointed city council commission on railway accidents show that of the 75 fatal accidents electric roads in Los Angeles county during the 12 months from Sept. 1, 1905, to the same date this year, 48 took place in the city and 27 in the county outside the city limits. There were altogether entered 443 accidents, all

MORE CAVALRY LEAVES TO ROUND UP UTES.

Helena, Mont., Oct. 29.—Troop L., Sixth United States cavalry, left Fort Keogh Sunday morning and troop M., left this morning to effect a junction with the troops from Fort Meade on the Upper Powder river in Wyoming, and endeavor to force the renegade Ute Indians to return to their reservation, says a special to the Montana Daily Record from Miles City. The troops from Keogh are taking supplies for the troops from Fort Meade. Fears that the Utes will stir up the Cheyenne Indians are considered groundless, as all the abie-bodied Cheyennes are at present working on the grading of the Chicago, Milwaukee & St. Paul railway near here and are perfectly contented. Helena, Mont., Oct. 29.-Troop L. near here and are perfectly contented.

GEN. PALMER IMPROVED.

Colorado Springs, Oct. 29.—At 8 o'clock this morning the condition of Gen. Wm. J. Palmer, who was seriously injured saturday by being thrown from a horse, is reported to be somewhat improved. The general passed a restful night and the improvement derived therefrom is very noticeable.

HEARST STARTS ON HIS LAST CAMPAIGN TOUR.

New York, Oct. 29.-William R. Hearst, Independence league and Demecratic candidate for governor, started today on his last tour of the state. Tonight he will speak at Syracuse and Auburn and tomorrow at Seneca Falls, Waterloo, Geneva and Rochester. Wednesday he will speak at Medina, Lockport and Niagara Falls, and tomorrow evening he will deliver three speeches in Bisfalo. He will return to New York on Thursday and devote the remaining five days of the campaign to work in Greater New York.

Charles E. Hughes, Republican nomcharles E. Highes, Republican nominee for governor, spoke at Dansville today. He said that corporations should not be recklessly and indiscriminately condemned but that as creatures of the state they must be held to

tures of the state they must be held to obedience to the laws.
"Public service corporations;" said Mr. Hughes, "should be compelled to render the service which they are under charter obligation to provide. I desire to see in this matter the law making power and the administrative power of government responsive to the just demands of the people." Insincerity on the part of Mr. Hearst

and his managers was charged in a formal statement given out today by Republican State Chairman Woodruff.

TRIED TO WRECK A TOWER.

New York, Oct. 29.—Four men attmepted today to wreck a high tower erected by poolroom men at the Jamaica race track from which to view the races. The men were discovered by the watchers in the employ of the poolroom interests and a sharp fight followed in which one of the raiders was hadly hurt. The defenders of the structure were victorious

INDEPENDENCE NOMINEES,

New York, Oct. 29.—A special session of the court of appeals will be held in Albany at 2 p. m. tomorrow to hear an appeal from the decision of the appellate division on the Independence league nomination cases in New York county, which put most of the league's candidates of the official ballot. This announcement was made today by counsel for the league after a conference with Chief Judge Cullen of the court of appeals.

DEATH CAME SUDDENLY.

Eugene Branch, Jr., Bishop of Wellington, Dropped Dead at Price.

(Special to the "Nws") Price, Utah, Oct. 29.-Eugene Branch,

Jr., bishop of Wellington ward, of Carbon county, dropped dead in Price about 9:30 o'clock this morning in a building where he was doing some plastering. It is not yet known whether it was from heart failure or a broken blood vessel from a strain. He recently contracted for the erection of a small building for the Price Co-op and had finished the work all but plastering and while engaged in mixing mortar this morning the end came. He was about 48 years of age and came here from St. George in 1884, being a substantial citizen of this county ever since. He leaves a wife and a large family of children. One of his sons was with him at the time of death. He was engaged in the mercantile business also at Wellington. An inquest is now being held: funeral announcement will be made later. blood vessel from a strain. He recent-

MRS. VOSS CAUSES SCENE IN COURT

FIFTY-SIXTH YEAR

Wife of Murdered Man Pounces Upon Slayer of Her Husband.

SHE MADE FURIOUS ATTACK.

Blow After Blow Was Rained on The Head and Face of the Prisoner, A. T. Day.

Assault Made While Witnesses Were Taking Their Places Before Beginning of Preliminary Hearing.

Shortly after 10 o'clock this morning, Mrs. H. H. Voss, whose husband was murdered on Oct. 14, by A. T. Day, made an assault upon the latter as he was about to be called before Judge Diehl, and but for the strenuous efforts of officers, would doubtless have done him much bodily injury. The occurrence, entirely unlooked for, was witnessed by a courtroom full of people, including severai deputy sheriffs and many police offi-

WHEN ASSAULT OCCURRED.

The witnesses in the case had been called within the railing, and Mrs. Voss, heavily velled, stepped in also and was motioned by Judge Diehl to take a seat on the west side of the room. She started in the direction indicated, and when directly in front of the man who slew her husband, she pounced upon him with the fury of a a tigress. The movement was so quick and unexpected that no one could stay the infuriated woman, though several afficers were almost within reach of her. Blow after blow was rained upon the head and face of the prisoner before his assailant could be pulled away from him, and it required the efforts of three minions of the law and a bystander to do so. Day attempted to rise to his feat to defend himself, but he was powerless in the hands of Mrs. Voss, who is a very large woman, and header she was woment to to a nitch besides she was wrought up to a pitch that bordered on frenzy.

OFFICERS INTERFERED.

A number of colored people who were sitting outside the railing and immediately behind Day, and who evidently were sympathizers with the woman, rushed as near as they could to where the struggle was going on, and would have taken a hand in separating her from her victim, had the officers not succeeded in taking her away.

ORDERED FROM COURT Judge Diehl ordered Mrs. Voss to be taken from the courtroom, and she was not permitted to again enter it during the whole of the hearing. The excite-ment incident to the unusual happen-ing subsided in a short time, and nothing gave evidence of the herce on-slaught, except the look of fear and ap-prehension manifested by Day for the remainder of the forenoon. He resem-bled nothing so much as a wild animal at bay, expecting every moment to be attacked. His black eyes fairly glistened, so intense was the excitement under which he labored, and he seemed to be much relieved when the hearing was over and he was led away, hand-

cuffed, to safety in the county jail. JOSEPH WARE TESTIFIES.

The first witness called was Joseph Ware, who was present when Voss was killed, and who had been arrested at the time on suspicion of having been an accomplice of the murderer. He was in prison four or five days, and was re-leased when it became apparent that he was in no wise responsible for the death of Voss. He today told in detail of the events leading up to the shooting and of the deed itself. Ware and Mrs. Yarber live in the same house, and it was there that Day created a disturb-ance on the evening before he shot Voss. The object of his wrath on that Voss. The object of his wrath on that occasion was Matthew Edwards, whom he beat severely for alleged gossip concerning the relations of Day and Mrs. Yarber. The following morning, Day called at the room of Ware and apolegized for his conduct of the night before, and asked Ware to go and have a drink with him. Ware consented and the two had nearly reached the head of Franklin Avenue, when they met the two had nearly reached the head of Franklin Avenue, when they met Voss, who said good morning to them, and then mildly reproved Day for his assault upon the aged colored man, Edwards. Ware wanted to see Voss upon some private business, and leaving Day, the other two men walked into Ware's room. Mrs. Yarber came in from an adjoining room and was discussing the late disturbance with Voss, when Day suddenly appeared at the partly open door, and without saying a word, fired the fatal shot. Voss was leaning against a trunk in the room and fell dead almost at the feet of Mrs.

fell dead almost at the feet of Mrs. Yarber.

DAMAGING TESTIMONY. The testimony of Ware was very damaging to the prisoner, and in cross-examination by Attorney W. W. Lattle, counsel for defense, the witness adhered strictly to his story and could not be made to contradict himself in the least varieties.

least particular.

Mrs. Yarber told identically the same story as that of Ware. She said that Voss had no inkling that Day intended to do him harm. Atty. Little did not cross question the witness very extensively. sively, and her statements remained unimpeached.

EDWARDS TESTIFIES.

Matthew Edwards, who had been beaten by Day the night before the shooting, and his wife, Mary Edwards, were both examined, entirely along the lines of the trouble between Edwards and Day. Neither of them witnessed the killing of Voss, nor knew anything

of the events immediately preceding it, DAY BOUND OVER. The defense offered no testimony, and The defense offered no testimony, and the motion of County Attorney P. P. Christensen, who conducted the case on the part of the state, that Day he held to the district court, was not opposed by Atty Little. Judge Diehl said that there was sufficient evidence to show that a crime had been committed, and the clerk was instructed to enter and the cierk was instructed to enter an order committing Day to the cus-tody of the sheriff, to await the action

of the district court, without bail.

PRISONER IN COUNTY JAIL. The colored people left the courtroom in the best of order, and by the time that Sheriff Emery and Deputies Ike Emery and Axel Steele were ready to leave with the prisoner, not a colored man or woman was about the premises. Day was handcuffed to P. S. Cootty, who had been arraigned for highway robbery, and was loaded into the patrol wagon and driven rapidly to the county fail,